

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:

Mark ALLMEN et al.

Art Unit: 2621

Application No: 09/809,036

Examiner: Behrooz M. Senfi

Confirmation No: 5594

Filed: March 16, 2001

Atty. Docket No: 37112-167615

For: BIT-RATE ALLOCATION SYSTEM FOR  
OBJECT-BASED VIDEO ENCODING

Customer No:

26694

PATENT TRADEMARK OFFICE

**REQUEST FOR REFUND**

MS Refunds  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On November 27, 2007 and December 14, 2006, Applicants paid and filed an Issue Fee and Request for Continued Examination (RCE) in the above-identified patent application. Upon the filing of the Issue Fee and Request for Continued Examination (RCE), Applicants submitted Fee Transmittals (Form PTO/SB/21) with charges of \$1,440 (Issue Fee), \$790 (RCE), and excess claims fee of \$100 to Applicants' Deposit Account 22-0261. On November 28, 2007, and December 15, 2006, our deposit account was charged fees of \$1,440, \$790, \$100 for these submissions. Copies of the Applicants Patent Prosecution Receipt of Filing stamped November 27, 2007, and December 14, 2006 and the respective Fee Transmittals (Form PTO/SB/21), indicating payment of the \$1440, \$790, and \$100 are attached. A statement for the Deposit Account No. 22-0261 indicating that \$1,440, \$790 \$100 was charged thereto on November 28, 2007 for the Issue Fee, and December 15, 2006 for the Request for Continued Examination (RCE) and excess claims fee is also enclosed.

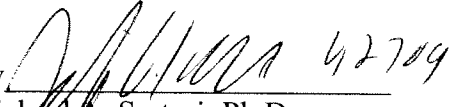
Application No.: 09/809,036

Docket No.: 37112-167615

Applicants hereby submit that this charge was made in error as the instant application claims small entity status. Applicants therefore respectfully request a refund in the amount of \$1,165. Please refund the \$1,165 fee by crediting the refunded amount to our Deposit Account No. 22-0261, and notify the undersigned accordingly.

Dated: 10/3/02

Respectfully submitted,

By  42789  
for Michael A. Sartori, Ph.D.  
Registration No.: 41,289  
VENABLE LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
(202) 344-4000  
(202) 344-8300 (Fax)  
Attorney/Agent For Applicant

Attorney/LAA: MAS/vjw

PTO Due Date: December 14, 2006

Date Filed December 14, 2006

136841

Venable Filing Number

Atty. Docket No: 37112-167615

Re: Mark Allmen et al.

Application No: 09/809,036

Patent No.:

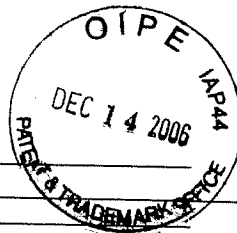
Trademark:

Opposition/Cancellation No:

Filing Date: March 16, 2001

Issue Date:

Trademark Reg. No:



The following items were received from Venable, Washington, D.C., by the U.S. Patent & Trademark Office:

**U.S. PTO FEES ENCLOSED**

☒ Transmittal Form  
☒ **Fee Transmittal Letter**  
New U.S. Patent Application (15 pages of specification/claims/abstract)  
Drawings  
Inventor Declaration  
U.S. National Stage Application of PCT Application  
Translation of International Application  
New U.S. TM Application (specimens)  
Rule 53(d) Continued Prosecution Application  
Substitute Specification  
Rule 53(b) Continuation or Divisional Application (attach copy of specification, claims, drawings & declaration)  
Priority Document-Cert. Copy of Appln.#: Country:  
Date Filed  
☒ **Request for Continued Examination (RCE) under 37 CFR 1.114**  
Application Data Sheet  
Assignment w/Cover Sheet  
IDS with PTO SB 08A  
Response to Election of Species Requirement  
Substitute Specification and Marked-Up Copy  
Petition for Extension of Time  
☒ **Amendment**  
Appeal Brief (in triplicate)  
Request for Reconsideration In Response to Non-Final Office Action  
Confirmation of Hearing Petition  
Issue Fee Transmittal  
Certificate of Correction  
Maintenance Fee Transmittal  
Notice of Appeal  
Response to Notice to File Missing Parts  
Response to Notice to File Missing Requirements  
Response to Restriction Requirement  
Petition to Revive  
Sequence Listing - CDR Enclosed? ☐ Yes ☐ No  
Status Inquiry  
Request to change Attorney Docket Number  
Request to Rescind Non-Publication Request  
Terminal Disclaimer  
Declaration Under 8  
Declaration Under 8 and 15  
TM Renewal Application  
Notice of Opposition (*Please list all documents in Other section*)  
Official Gazette Date:  
Amendment to Allege Use  
Other: (*Please describe below*)

\$790.00 RCE Filing Fee  
Search Fee  
Examination Fee  
\$100.00 Additional Claim Fee  
Recordation Fee  
IDS Fee  
Notice of Appeal Fee  
Brief on Appeal Fee  
Oral Hearing Request Fee  
Extension Fee  
Issue Fee  
Publication Fee  
TM Statement of Use  
8 Affidavit Fee  
8 and 15 Affidavit  
TM Renewal Application Fee  
Notice of Opposition Fee  
TM Publication Fee  
TM Extension of Time Fee

\$890.00 Total Fees Paid

If the Deposit Account was used, was a copy of this form sent to Accounting?  
DC2DOCS1\811812

LAH

☒ Check Number Attached  
Charge Deposit Account No. 22-0261  
☒ Yes ☐ No

# PATE PROSECUTION RECEIPT OF FILING

143296

**Venable Filing Number**

**Atty. Docket No:** 37112-167615

**Title of Application:** BIT-RATE ALLOCATION SYSTEM FOR OBJECT-BASED VIDEO ENCODING

**Application No:** 09/809,036

**Patent No. :**

**Attorney/LAA:**

MAS/VJW

**PTO Due Date:** November 27, 2007

**Current Date:** November 27, 2007

**Filing Date:** March 16, 2001

**Issue Date:**

The following items were received from Venable LLP, Washington, D.C., by the U.S. Patent & Trademark Office on the date stamped hereon:

## U.S. PTO FEES ENCLOSED

- ☐ Transmittal Letter
- ☒ **Fee Transmittal Letter**
- ☐ New U.S. Patent Application  
(☐ pages of specification/claims)
- ☐ Rule 53(d) Continued Prosecution Application
- ☐ Rule 53(b) Continuation or Divisional Application  
(attach copy of specification, claims, drawings and declaration)
- ☐ U.S. National Stage Application of PCT Application
- ☐ Request for Continued Examination (RCE) under 37 CFR 1.114
- ☐ Application Data Sheet
- ☐ Substitute Specification
- ☐ Priority Document-Cert. Copy of  
Appln.#: \_\_\_\_\_; Country: \_\_\_\_\_; Date Filed: \_\_\_\_\_
- ☐ Formal Drawings (☐ sheets, Figs.)
- ☐ Inventor Declaration
- ☐ Assignment w/Cover Sheet
- ☐ Response to Notice to File Missing Parts
- ☐ Response to Notice to File Missing Requirements
- ☐ Response to Requirement
- ☐ Information Disclosure Statement with cited references
- ☐ Response
- ☐ Amendment / Preliminary Amendment
- ☐ Petition/Request for Extension of Time ( mo. ext.)
- ☐ Power of Attorney
- ☐ Petition to Revoke
- ☐ Sequence Listing – CDR Enclosed? ☐ Yes ☐ No
- ☐ Request for Non-Publication
- ☐ Request to Rescind Non-Publication Request
- ☐ Terminal Disclaimer
- ☐ Notice of Appeal
- ☐ Appeal Brief (in triplicate) / Reply Brief (in triplicate)
- ☐ Request for Oral Hearing
- ☐ Confirmation of Hearing Petition
- ☒ **Issue Fee Transmittal**
- ☐ Certificate of Correction
- ☐ Maintenance Fee Transmittal
- ☐ Status Inquiry
- ☐ Other: (Please describe below)

1440.00 Issue Fee

Other Fees (Describe)

1440.00 Total Fees Paid

Charge the above fees as follows:

☒ USPTO Deposit Account No. 22-0261

☐ USPTO Deposit Account No. \_\_\_\_\_

☐ USPTO not to charge any Deposit Account

Reviewed By:

Signature of Attorney

Date

November 27, 2007

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/809,036
		Filing Date	March 16, 2001
		First Named Inventor	Mark Allmen
		Examiner Name	Behrooz M. Senfi
		Art Unit	2621
<b>TOTAL AMOUNT OF PAYMENT</b> (\$)    890.00		Attorney Docket No.	37112-167615

**METHOD OF PAYMENT** (check all that apply)

☐ Check   
 ☐ Credit Card   
 ☐ Money Order   
 ☐ None   
 ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account   
 Deposit Account Number: 22-0261   
 Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below                     
 ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17                     
 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims    Extra Claims    Fee (\$)    Fee Paid (\$)  
 31    - 29 =    2    x    100.00    =    \$100.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims    Extra Claims    Fee (\$)    Fee Paid (\$)  
 5    - 5 =    0    x    0.00    =   

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
31	31 - 100 =	0 / 50	(round up to a whole number) x	

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): RCE Fee (\$790.00); Extra Claims Fee (\$100.00)	\$890.00

<b>SUBMITTED BY</b>		
Signature	Registration No. (Attorney/Agent)    41,289	Telephone (202) 344-4004
Name (Print/Type)    Michael A. Sartori, Ph.D.	Date    December 14, 2006	

DC2DOCS1811801

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2008</h3>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/809,036
		Filing Date	March 16, 2001
		First Named Inventor	Mark ALLMEN
		Examiner Name	Behrooz M. SENFI
		Art Unit	2621
TOTAL AMOUNT OF PAYMENT		(\$)	1440.00
		Attorney Docket No.	37112-167615

**METHOD OF PAYMENT** (check all that apply)

☐ Check   
 ☐ Credit Card   
 ☐ Money Order   
 ☐ None   
 ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account   
 Deposit Account Number: 22-0261   
 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below   
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17   
 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims    Extra Claims    Fee (\$)    Fee Paid (\$)  
 \_\_\_\_\_ - \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims    Extra Claims    Fee (\$)    Fee Paid (\$)  
 \_\_\_\_\_ - \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.


**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 = _____ (round up to a whole number) x _____ = _____		

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <b>1501 Utility Issue Fee</b>	<b>\$1440</b>

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	41,289
Name (Print/Type)	Michael A. Sartori, Ph.D.	Telephone	202-344-4000
		Date	November 27, 2007

2006

12/15 200	11638353	41345-237922	2011	\$150.00	\$90,462.9
12/15 202	11638353	41345-237922	2311	\$100.00	\$90,362.9
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12/15 151	11637080	75183-238736	8021	\$40.00	\$88,182.9
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12/18 174	PCT/US06/47578	65966-238918	1601	\$300.00	\$72,302.9
12/18 178	PCT/US06/47578	65966-238918	8007	\$40.00	\$72,262.9
12/18 177	PCT/US06/47578	65966-238918	1703	\$432.00	\$71,830.9
12/18 175	PCT/US06/47578	65966-238918	1602	\$1,000.00	\$70,830.9
12/18 176	PCT/US06/47578	65966-238918	1701	\$1,008.00	\$69,822.9
12/18 203	11629539	31583-238550	1631	\$300.00	\$69,522.9

2007

11/28 48	11921070	37998-253253	1633	\$210.00	\$91,96
11/28 49	11921070	37998-253253	1642	\$410.00	\$91,55
11/28 51	11921070	37998-253253	1614	\$1,680.00	\$89,87
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11/28 267	09809036	37112-167615 -	1501	\$1,440.00	\$87,93
11/28 268	10848140	40424-202017	1501	\$1,440.00	\$86,49
11/28 269	10848140	40424-202017	1504	\$300.00	\$86,19
11/28 180	60996607	58086-253817	2005	\$105.00	\$86,08
11/28 207	60996608	87824-253866	2005	\$105.00	\$85,98
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11/28 128	77109299	43622-241636	6003	\$100.00	\$85,78
11/28 153	76684350	942344-253081	6001	\$1,125.00	\$84,65
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11/28 337	11921100	31229-253281	1633	\$210.00	\$84,13
11/28 338	11921100	31229-253281	1642	\$410.00	\$83,72
11/28 361	11921101	32308-250462	1631	\$310.00	\$83,41
11/28 362	11921101	32308-250462	1614	\$630.00	\$82,78
11/28 363	11921102	92396-253137	1631	\$310.00	\$82,47
11/28 366	11921102	92396-253137	1615	\$450.00	\$82,02
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11/28 368	11921106	32308-250324	1631	\$310.00	\$81,05
11/28 369	11921106	32308-250324	1633	\$210.00	\$80,84
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11/28 371	11921106	32308-250324	1615	\$1,400.00	\$79,03
11/29 1465	77339007	89156-253889	7001	\$325.00	\$78,71
11/29 32	PAYMENT		9203	-\$23,550.00	\$102,2
11/29 2798	7059658	37998-199967	8021	\$40.00	\$102,2
11/29 2984	7222876	37998-187596	8021	\$40.00	\$102,1
11/29 3199	11946548	92849-253620	1011	\$310.00	\$101,8
11/29 3200	11946548	92849-253620	1111	\$510.00	\$101,3
11/29 3202	11946548	92849-253620	1311	\$210.00	\$101,1
11/29 3308	11946548	92849-253620	8021	\$40.00	\$101,1
11/29 4204	78971329	26224-236142	7004	\$150.00	\$100,9
11/29 4255	77030746	26224-237731	7004	\$150.00	\$100,8
11/29 257	11987194	36871-252914	2011	\$155.00	\$100,6
11/29 258	11987194	36871-252914	2111	\$255.00	\$100,4
11/29 259	11987194	36871-252914	2311	\$105.00	\$100,2
11/29 260	11987195	43327-253242	1011	\$310.00	\$99,98
11/29 262	11987195	43327-253242	1311	\$210.00	\$99,77
11/29 261	11987195	43327-253242	1111	\$510.00	\$99,26
11/29 263	11987197	42323-250012	1011	\$310.00	\$98,95
11/29 266	11987197	42323-250012	1201	\$420.00	\$98,53
11/29 267	11987197	42323-250012	1202	\$250.00	\$98,28
11/29 265	11987197	42323-250012	1311	\$210.00	\$98,07
11/29 264	11987197	42323-250012	1111	\$510.00	\$97,56
11/29 3	11602375	32368-236629	1464	\$130.00	\$97,43